

REMARKS/ARGUMENTS

Applicant would again like to thank the Examiner for her consideration of this case. Applicant also appreciates the Examiner's statement over the telephone last November, that the Examiner would call us regarding any Examiner's Amendments for any needed changes to overcome the present rejections after our response (since the present Final Office Action only includes claim objections and 35 U.S.C. § 112, 2nd paragraph rejections). Applicant very respectfully reminds the Examiner of this conversation and her statement that after such an Examiner's Amendment (if needed), she could essentially proceed with issuing a Notice of Allowance.

I. Claim Objections

Applicant has made all of the Examiner's required changes resulting from informality objections.

- Claim 1, line 13 – the phrase “of the locking mechanism” has been inserted after the word “catch”
- Claim 11, line 2 – the limitation “having a catch and a pawl” has been inserted after the phrase “a locking mechanism”
- Claim 11, line 20 – the phrase “said operating lever of said pawl” has been changed to “said operating lever with said pawl”.

The withdrawal of these objections is respectfully requested.

II. Claim Rejections under 35 U.S.C. § 112, 2nd Paragraph

Regarding the Examiner's rejections of Claims 1 and 11 due to indefiniteness, Applicant has amended those claims to clarify the language relating to the opening operations.

The Examiner states *"it is unclear how the pawl and catch open the locking mechanism, since the locking mechanism consists of the pawl and catch, when it is clear that the pawl releases the catch to place the locking mechanism in an open state"*.

Applicant has deleted the phrase "open the locking mechanism" and amended the claims to recite **"said rotation in the actuation direction continues until limited by the element limiting the angle of rotation, in an opening position of the drive disk"**, to further clarify how the pawl, catch and other elements cooperate to place the locking mechanism in an open state.

The Examiner states *"Furthermore, it is unclear what applicant intends to claim with the phrase "reliably opened" in reference to the locking mechanism, when it is clear that the disk, pawl, and lever are maintained in an opening position until the catch rotates to its fully open position, which is not clearly recited in the claim language"*.

Applicant has clarified the claims by replacing the phrase "reliably opened" with the phrase "until the **catch rotates to a fully open position**", which essentially when the locking mechanism can be considered to have been reliably opened.

The Examiner also states *"Moreover, the claim language recites that the locking mechanism has an opening position and that the drive disk has the same opening position. Therefore, the claim language is unclear as to whether the drive disk has a separate opening position from the opening position of the locking mechanism and the relationship between the two opening positions. If applicant intends to claim that the drive disk has a separate opening*

position from the opening state of the locking mechanism, then the claim language should reflect this”.

Applicant has deleted the phrase “opening position of the locking mechanism” and limited “opening position” to relate only to the “opening position **of the drive disk**” in the claims, in order to avoid the confusion of having a few “opening positions”. Corresponding amendments have also been made to dependent Claims 7 and 16, for consistency.

All of the above-described amendments to Claims 1, 7, 11 and 16 are clarifications of the presently pending claims and are fully supported in the originally filed specification at paragraphs [0036]-[0039] and [0029]-[0033]. Thus, no new matter has been added.

The Examiner also rejected Claim 2 (Applicant believes the Examiner actually meant to refer to Claim 3) based on indefiniteness, stating that “*the claim recites ‘the stationary stop’ however claim 1 does not recite limitations drawn to the stationary stop*”. Applicant has amended “the stationary stop” back to its original recitation of “**a** stationary stop”, in order to correct a previous grammatical/formatting error and provide proper antecedent basis.

The Examiner also stated regarding Claim 11 that “*Also, in regards to lines 38 and 39, it is unclear how the operating lever is held in a pawl released position, when the specification does not discuss this position being held when the drive disk is being moved in the reverse direction*”.

Applicant respectfully points out that paragraph [0039] and the last sentence of paragraph [0033], along with the functional flow diagram of FIG. 5 of the originally filed specification, clearly discuss that the operating lever is held in a pawl released position, when the drive disk is being moved in the reverse direction. Applicant also mentioned this point at the bottom of page 8 in Applicant’s amendment and response dated August 11, 2010. That is, the release of the pawl commences at time point 6 in the diagram of FIG. 5 and continues up

to time point 7, while the electric motor operates in reverse from time point 5 through to time point 8, as described in paragraph [0039].

For all of the above-stated reasons, the reconsideration and withdrawal of the claim rejections under 35 U.S.C. § 112, 2nd paragraph is respectfully requested.

III. Summary

Having fully addressed the Examiner's rejection of all of the pending claims 1, 3-7 and 11-16, Applicant submits that the reasons for the Examiner's rejections have been overcome and respectfully requests that the amendments be entered and a Notice of Allowance be issued.

If the Examiner believes the prosecution of this application would be advanced by a telephone call, the Examiner is invited to contact Applicant's attorney at the telephone indicated below.

Respectfully submitted,

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By: /Konomi Takeshita/
KONOMI TAKESHITA
Reg. No. 38,333

Omori & Yaguchi USA, LLC
Eight Penn Center, Suite 1300
1628 John F. Kennedy Boulevard
Philadelphia, PA 19103
(215) 701-6349
(215) 751-0192 (facsimile)